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Nevada Bar No. 6904

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File No. 09-93247

Attorneys for Secured Creditor,  
UNIVERSAL MORTGAGE CORPORATION

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

CATARINO GUTIERREZ,

Debtor.

Case No.: BK-S-09-18683-MKN  
Chapter 13

**OBJECTIONS TO PROPOSED  
CHAPTER 13 PLAN AND  
CONFIRMATION THEREOF**

Date: August 13, 2009  
Time: 1:30 P.M.

UNIVERSAL MORTGAGE CORPORATION, Secured Creditor in the above-entitled  
Bankruptcy proceeding, hereby submits the following Objections to the Confirmation of that  
certain Chapter 13 Plan proposed by Debtor:

This objecting Secured Creditor holds the first Trust Deed on the subject property  
generally described as: 5120 Sugarfoot Avenue, Las Vegas, NV 89107. As of May 26, 2009,  
the amount in default was \$7,464.37, representing monthly payments and late charges due from  
December 1, 2008 through May 1, 2009; advances for taxes and insurance, if any; and  
foreclosure costs and attorneys' fees incurred with respect to the default.

Debtor's Chapter 13 Plan provides for only \$4,880.00 in pre-petition arrears to be paid to  
Secured Creditor.

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**CONCLUSION**

Any Chapter 13 Plan proposed by Debtor must provide for and eliminate the Objections specified above in order to be reasonable and to comply with applicable provisions of the Bankruptcy Code. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor be denied.

WHEREFORE, Secured Creditor prays as follows:

(1) That confirmation of the proposed Chapter 13 Plan be denied.

(2) For attorney's fees and costs incurred herein.

(3) For such other relief as this Court deems proper.

MILES, BAUER, BERGSTROM & WINTERS, LLP

Dated: July 21, 2009

By: /s/ Jeremy T. Bergstrom, Esq.

Jeremy T. Bergstrom, Esq.

Attorney for Secured Creditor

(09-93247/objaznv.dot/mlb)

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on July 21, 2009, a copy of Secured Creditor's **OBJECTIONS TO PROPOSED CHAPTER 13 PLAN AND CONFIRMATION THEREOF** was served by depositing a copy of same in the United States Mail, in a postage prepaid envelope, addressed to:

**DEBTOR:**

Catarino Gutierrez  
5120 Sugarfoot Avenue  
Las Vegas, NV 89107

**ATTORNEY FOR DEBTOR:**

Jorge L. Sanchez  
Sanchez Law Group  
930 S. Fourth Street #211  
Las Vegas, NV 89101

**CHAPTER 13 TRUSTEE:**

Rick A. Yarnall  
701 Bridger Ave. #820  
Las Vegas, NV 89101

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

/s/ Michelle L. Benson

An Employee of Miles, Bauer, Bergstrom & Winters, LLP

(09-93247/objaznv.dot/mlb)